

#25

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Patent Application of)	<u>VIA FACSIMILE TRANSMISSION</u>	Received FEB 18 1998 Group 2700
U.S. Patent No. 5,088,108)	Group Art Unit: 2732	
UDDENFELDT et al.)		
Application No.: 08/136,760)	Examiner: B. Safourek	
Filed: October 15, 1993)		
For: CELLULAR DIGITAL MOBILE)		
RADIO SYSTEM AND METHOD)		
OF TRANSMITTING INFORMATION)		
IN A DIGITAL CELLULAR)		
MOBILE RADIO SYSTEM)		

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In complete response to the Office Action dated January 22, 1998, reconsideration and withdrawal of the stated objections and rejections are respectfully requested.

Applicants note with appreciation the Examiner's consideration of, and making of record, the documents submitted with the Information Disclosure Statements filed on September 17, 1997 and May 28, 1997.

In paragraph 1 of the Office Action, a request is made for an explanation of support as required by newly implemented 37 C.F.R. § a.121(b)(2)(iii). This new section of regulations was implemented on December 1, 1997. However, it is Applicants' understanding, confirmed by Mr. Hiram Bernstein (Petitions Office) and Mr. Joseph Dixon (SPRE Group 2700), that this new rule does not apply to amendments which were filed before the effective date. Since all of the amendments in this application were submitted

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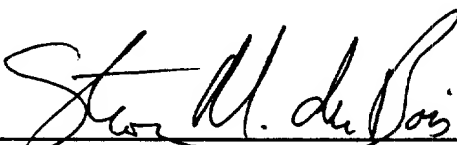
prior to December 1, 1997, Applicants respectfully request that this requirement be reconsidered with withdrawn.

In paragraphs 2-4, the Oath is objected to, and the claims are rejected under 37 C.F.R. § 1.175(b)(1). As suggested in paragraph 5, Applicants submit herewith Supplemental Declarations executed by each of the inventors including the language suggested by the Examiner. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

All of the objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and a notice to that effect is earnestly solicited. Should the Examiner have any questions regarding this response or the application in general, he is urged to contact the undersigned at (703) 838-6642.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Steven M. duBois
Registration No. 35,023

P.O. Box 1404
Alexandria, Virginia 22313-1404
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Date: January 30, 1998

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PLATE

Anthony's Desk No. 0275DC-630

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Received

FEB 18 1998

Group 2700

In re Rabinov Application of

U.S. Patent No. 5,088,108 to

UDDENTFELDT # 1.

Serial No. 08/136,760

Filed: October 15, 1993

For: **CELLULAR DIGITAL MOBILE
RADIO SYSTEM AND METHOD
OF TRANSMITTING INFORMATION**

IN A DIGITAL CELLULAR MOBILE RADIO SYSTEM

Group Art Unit: 2732

Examiner: B. Safarik

SUPPLEMENTAL DECLARATION IN SUPPORT OF RESUME APPLICATION

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20211

112

We, Jan E. Uddenfeldt and Alex K. Rath, hereby supplementally declare as

follows:

(1) We are citizens of Sweden, having a post office address of c/o
Telefonaktiebolaget L. M. Ericsson, S-126 34, Stockholm, Sweden.

(2) We believe that we are the original, first inventors of the invention described and claimed in the United States Patent No. 5,082,108 and in the specification and the claims of the Reissue Application filed and proposed amendments made thereto.

Reissue Appln. of U.S. Patent 5,088,108

(3) We have reviewed and understand the contents of the specification and the claims of the Reissue Application and proposed amendments made thereto.

(4) We hereby claim the benefit of foreign priority under 35 U.S.C. § 119 with respect to Swedish Patent Application No. 8800698, filed on February 29, 1988.

(5) We acknowledge the duty to disclose information that we are aware of which is material to the examination of this Reissue Application in accordance with 37 C.F.R. § 1.56(a).

(6) We verily believe U.S. Patent No. 5,088,108 to be partially inoperative by reason of our having claimed less than we had the right to claim in said Letters Patent.

(7) Every error in the patent which was corrected in the present reissue application, and is not covered by the prior declarations in this application, arose without any deceptive intention on the part of Applicants.

(8) The undersigned declare further that all statements made herein are of our own knowledge and are true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE: Jan 30, 1998

Jan K. Uddenfeldt

DATE: _____

Alex K. Raith

Patent
Attorney's Docket No. 027530-690

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Received
FEB 18 1998
Group 2700

In re Reissue Application of)
U.S. Patent No. 5,088,108 to) Group Art Unit: 2732
UDDENFELDT et al.) Examiner: B. Safourak
Serial No. 08/136,760)
Filed: October 15, 1993)
For: CELLULAR DIGITAL MOBILE)
RADIO SYSTEM AND METHOD)
OF TRANSMITTING INFORMATION)
IN A DIGITAL CELLULAR)
MOBILE RADIO SYSTEM)

SUPPLEMENTAL DECLARATION IN SUPPORT OF REISSUE APPLICATION

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

We, Jan E. Uddenfeldt and Alex K. Raith, hereby supplementally declare as follows:

- (1) We are citizens of Sweden, having a post office address of c/o Telefonaktiebolaget L M Ericsson, S-126 25, Stockholm, Sweden.
- (2) We believe that we are the original, first inventors of the invention described and claimed in the United States Patent No. 5,088,108 and in the specification and the claims of the Reissue Application filed and proposed amendments made thereto.

Reissue Appln. of U.S. Patent 5,088,108

- (3) We have reviewed and understand the contents of the specification and the claims of the Reissue Application and proposed amendments made thereto.
- (4) We hereby claim the benefit of foreign priority under 35 U.S.C. § 119 with respect to Swedish Patent Application No. 8800698, filed on February 29, 1988.
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- (7) Every error in the patent which was corrected in the present reissue application, and is not covered by the prior declarations in this application, arose without any deceptive intention on the part of Applicants.
- (8) The undersigned declare further that all statements made herein are of our own knowledge and are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE: _____

DATE: Jan 28, '98_____
Jan E. UddenfeldtAlex K. Raith
Alex K. Raith

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Patent
Attorney's Docket No. 027500-690

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of

U.S. Patent No. 5,088,108
UDDENFELDT et al.

Application No.: 08/136,760

Filed: October 15, 1993

For: CELLULAR DIGITAL MOBILE
RADIO SYSTEM AND METHOD
OF TRANSMITTING INFORMATION
IN A DIGITAL CELLULAR
MOBILE RADIO SYSTEM

VIA FACSIMILE TRANSMISSION

Group Art Unit: 2732

Examiner: B. Safourek

Received

FEB 18 1998

Group 2700

REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

☒ Also enclosed is executed Supplemental Declaration

☒ No additional claim fee is required.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office:

on

January 30, 1998

Steven M. duBois

Steven M. duBois [Registration No. 35,023]

DOCKETED

1/20/98

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	63	MINUS 63 =	-0-	x \$22.00 =	-0-
Independent Claims	17	MINUS 17 =	-0-	x \$82.00 =	-0-
If Amendment adds multiple dependent claims, add \$270.00					-0-
Total Amendment Fee					-0-
If small entity status is claimed, subtract 50% of Total Amendment Fee					-0-
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					-0-

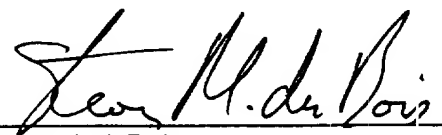
☐ A claim fee in the amount of \$_____ is enclosed.

☐ Charge \$_____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
 Steven M. duBois
 Registration No. 35,023

P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620

Date: January 30, 1998